
MONDAY, SEPTEMBER 12, 2005

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Hall, Commissioners Watne and Brenneman, and Clerk Robinson were present.

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Hall closed the public comment period.

MONTHLY MEETING W/ JAY SCOTT, FAIRGROUNDS

[9:00:26 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Discussion was held relative to action being taken on the fairgrounds building process, the gun show, transient activity, all of the events that have been keeping the fairgrounds busy, Meridian road construction, the need to get together to talk about the horse races, and to complaints that the commissioners had received on the fair.

COS REVIEW: FANELLI

[9:20:56 AM](#)

Members present:

Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Clerk Kimberly Moser, Kirsten Holland, Jeff Harris, Joe Kaufman, John Paul Noyes, Laura Woodward, Gia Fanelli

Holland reviewed the Fanelli family transfer request.

Commissioner Brenneman made a **motion** to approve the Fanelli COS. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

**MONDAY, SEPTEMBER 12, 2005
(Continued)**

COS REVIEW: NOYES

[9:13:47 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Joe Kauffman, John Paul Noyes, Jeff Harris

Holland reviewed the Noyes family Transfer request.

Commissioner Brenneman made a **motion** to approve the Noyes COS. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

COS REVIEW: WOODWARD

[9:17:45 AM](#)

Members present:

Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Joe Kaufman, John Paul Noyes, Jeff Harris, Laura Woodward

Holland reviewed the Woodward Family Transfer request.

Commissioner Brenneman made a **motion** to approve the Woodward COS. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF ABATEMENT OF TAXES 2004 / ASSESSOR #0187745

[9:28:25 AM](#)

Members present:

Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the abatement of taxes on Assessor #0187745. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

AUTHORIZE COUNTY ATTORNEY'S OFFICE TO ACCEPT SERVICE: 93 NORTH NEIGHBORS V. COUNTY

[9:30:15 AM](#)

Members present:

Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jonathan Smith

Commissioner Brenneman made a **motion** to approve the county attorney's office to accept service for the 93 North Neighbors v. County. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

TAKE ACTION: HEURISTIC WAY

[9:35:01 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

The commissioners read into the minutes that the Heuristic Way Subdivision has died for lack of action.

**MONDAY, SEPTEMBER 12, 2005
(Continued)**

CONSIDERATION OF PRINTING BIDS: ANIMAL CONTROL

[9:10:57 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the bid submitted by Kalispell Copy Center in the amount of \$162.40 for 5,000 pink impound envelopes, the bid submitted by Kalispell Copy Center in the amount of \$325.00 for 10,000 White Impounds Cards, and the bid submitted by the Master's Touch in the amount of \$468.85 for 5,000 Bite Report Forms. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: FLETCHER

[9:44:36 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Clerk Kimberly Moser, Traci Sears-Tull

Sears-Tull reviewed the Lakeshore Permit application submitted by Susan Fletcher for Whitefish Lake to replace the shingles, roof, doors and outside wood supports on an existing boat house, and add two small windows on the side of the structure.

Commissioner Brenneman made a **motion** to approve Lakeshore Permit #WLV-05-08 and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: WHISTLIN ACRES, LOT 4

[9:59:45 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Traci Sears-Tull, Erica Wirtala

Sears-Tull reviewed the application submitted by Howard & Tracie Keister for final plat approval of the Amended plat of Lot 4, Whistlin' Acres Subdivision, which will create two residential lots on Lot 4 of Whistlin' Acres. The subdivision is located on Whistlin' Drive which is 12 miles northwest of Whitefish. Preliminary plat approval was granted on June 2, 2005 subject to nine conditions. All conditions have been met.

Commissioner Brenneman made a **motion** to approve the final plat of Whistlin' Acres, Lot 4 Subdivision. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

PRELIMINARY PLAT: DEER CREEK HEIGHTS

[10:18:43 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, BJ Grieve, Jeff Harris, Peggy Mathiason, Rick Breckenridge, Eric Giles

Grieve reviewed the application submitted by Michael Murphy for preliminary plat approval of Deer Creek Heights, a major subdivision that will create six residential lots containing approximately 6.34 acres. The property is located off US Highway 93 halfway between Somers & Lakeside, and is unzoned. There are 24 conditions of approval. Staff recommends approval.

Commissioner Brenneman made a **motion** to adopt Staff Report FPP-05-29 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the preliminary plat of Deer Creek Heights subject to 24 conditions. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MONDAY, SEPTEMBER 12, 2005
(Continued)

CONDITIONS

1. The subdivision shall comply with all the provisions of the Flathead County Subdivision Regulations, whether or not they are specifically mentioned in the staff report.
2. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. (7-22-2116 M.C.A., Section 3.12(J), Flathead County Subdivision Regulations)
3. All road construction and road improvements must comply with Section 3.9 of the Flathead County Subdivision Regulations and shall be inspected, approved, and signed off by a licensed engineer. Internal subdivision roads must be built to the standards outlined in Section 3.9, including (but not limited to) travel surface, right of way width and a grade not to exceed 8% (Table 1).
4. Building sites must be located in areas with slopes that do not exceed 30%. (3.6(E) Flathead County Subdivision Regulations). Driveways will not exceed 10% slope.
5. A Road Users Agreement or a Property Owners Association shall be formed which will require each property owner to bear their pro-rata share for road maintenance. (3.9(J)(3), Flathead County Subdivision Regulations)
6. The developer shall provide proof of an existing approach permit from the MDOT for the intersection of US Highway 93 and the internal subdivision road. The applicant shall contact Ken Lambeth with the MDOT Maintenance Department (751-2011) and receive approval for the approach. This approach permit will be submitted with the final plat application.
7. A road identification sign in compliance with county standards shall be installed at the intersections of the internal subdivision road and US Highway 93.
8. Electrical and telephone utilities shall be extended underground to abut and be available to each lot in accordance with Flathead County Subdivision Regulations (see Sections 3.17 and 3.18). Utility plans shall be approved by the applicable utility companies.
9. If required by the local postmaster, the developer shall provide a common mailbox facility in accordance with Flathead County Subdivision Regulations (Section 3.22).
10. The developer shall contact the local school district transportation supervisor and, if required, provide and improve a location for the safe loading and unloading of students. A letter from the supervisor approving the transportation plan shall be included with the application for final plat.
11. The applicant shall receive physical addresses and name all roads in accordance with Flathead County Resolution #1626. The addresses and road names shall appear on the final plat.
12. Only Class A and Class B fire resistant roofing materials are allowed. (Section 3.21, Flathead County Subdivision Regulations)
13. Defensible Space Standards shall be incorporated around all primary structures as described in Appendix G of the Flathead County Subdivision Regulations.
14. The following statements shall be placed on the face of the final plat applicable to all lots:
 - All addresses shall be visible from the road, and at the driveway entrance or on the house.
 - All utilities shall be placed underground.
 - Lot owners should be aware that they are living in a rural area of Flathead County and can expect extended response times for emergency services, if at all available.
 - All areas disturbed during development of structures and driveways shall be revegetated in accordance with a plan approved by the County Weed Department.
 - The Property Owners Association shall be responsible for maintenance of the road. Roads shall be maintained, including necessary repairs and snow removal, to ensure safe all-weather travel for two-way traffic.
 - Lot owners are responsible for the eradication and control of noxious weeds upon their property.
 - Only Class A and Class B fire resistant roofing materials are allowed.
 - Defensible Space Standards shall be incorporated around all primary structures as described in Appendix G of the Flathead County Subdivision Regulations.
 - Dogs must be leashed at all times.
 - Residents must use bear-proof garbage containers.
 - No feeding of birds (bird feed attracts bears).
 - Livestock feed shall be contained in buildings when not being used for feeding.
 - No compost piles with smells to attract bears, unless secured by electrical fencing.
 - Pets fed indoors or food dishes brought in at night.
15. The lots within the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality for public sewer and community water facilities. Agency approvals shall be included with the application for final plat. (3.14 and 3.15, Flathead County Subdivision Regulations)
16. All required improvements shall be completed in place, or a Subdivision Improvement Agreement in accordance with Chapter 8 of the Flathead County Subdivision Regulations shall be provided by the subdivider, prior to final approval by the County Commissioners.
17. A “vegetative visual buffer” of existing trees shall remain in place adjacent to, but not within, the internal subdivision right of way. At a minimum, this requires that one tree every 40’ will remain and not be cleared during lot development. This is to maintain rural character and provide a visual buffer between country roads and houses. (Section 3.2, Flathead County Subdivision Regulations)
18. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions.
19. The applicant shall contact the chief of the Lakeside/Somers Volunteer Fire Department and provide a satisfactory water supply system compliant with Section 3.21(E) of the Flathead County Subdivision Regulations. A letter of approval shall be included with final plat.

**MONDAY, SEPTEMBER 12, 2005
(Continued)**

20. The following shall appear on the face of the final plat (Appendix D(XII), Flathead County Subdivision Regulations):

Waiver of Protest

Participation in Special Improvement District

_____ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes _____ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that _____ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District.

_____ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for _____ Subdivision.

21. Preliminary plat approval is valid for three (3) years.
22. The applicant shall pave ~~at a minimum, 300' of internal subdivision road. Section 3.9(K)(3)(a)(1) Flathead County Subdivision Regulations: all internal subdivision roads.~~
23. \$6,151.00 must be paid to the Flathead County Weed, Parks, Recreation and Building Maintenance Department as cash in lieu of parkland dedication.
24. No lots will access Highway 93 directly, and a 20' no access/bicycle/vegetative buffer easement adjacent to the Highway 93 right of way will appear on the face of the final plat.

PRELIMINARY PLAT: ISLAND LAKE ESTATES

[10:35:29 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Giles, BJ Grieve, Jeff Harris, Tim Rooney, John Vignali, Nate Wyatt, Andy Belski

Giles reviewed the application submitted by Tungsten Holdings for preliminary plat approval of Island Lake Estates Subdivision, a minor subdivision creating five residential lots. The subdivision is proposed on 104.13 acres and is located off of Island Lake Road in Marion, Montana, and is unzoned. There are 18 conditions of approval. Eric amended condition 12 and 9B stating that utilities shall be above ground.

Discussion was held relative to the condition requiring utilities and the possibility of adding a condition to the face of the final plat that no further subdividing shall take place.

Commissioner Brenneman made a **motion** to continue this meeting. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONDITIONS:

1. A variance to road length [Table 3, Section 3.9, Minor Street Standards, FCSR] shall be granted for the subdivision.
2. The internal subdivision road shall be constructed with a 60-foot right-of-way, a 20-foot travel surface, and 55-foot radius cul-de-sac, in accordance with the Flathead County Subdivision Regulations. [3.9, Table 1, FCSR]
3. The applicant shall receive physical addresses and name all roads in accordance with Flathead County Resolution #1626. [3.9(I)(7), FCSR]
4. The addresses and road names shall appear on the final plat. [Appendix C, I(B)(19), FCSR]
5. Road signs and traffic control devices of the size, shape, and height as approved by Flathead County shall be placed at all intersections by the developer. Traffic control devices shall be consistent with the latest edition of "Manual of Uniform Traffic Control Devices" available from the Montana Department of Transportation. [3.9(I)(8), FCSR]
6. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed. [Section 3.12 (J), FCSR]
7. The source of water supply shall be subject to approval by the County Commissioners, which may also require that any proposed system provide adequate and accessible water for fire protection. [3.14(B), FCSR]
8. Mailboxes or a common off-street mail pickup facility and vehicular pull-off shall be located in accordance with U.S. Postal Service regulations and approved by the local postmaster. [3.22, FCSR]

**MONDAY, SEPTEMBER 12, 2005
(Continued)**

9. The following statements shall be placed on the face of the final plat applicable to all lots:
- ☐ All addresses shall be visible from the road, either at the driveway entrance or on the structure. [3.20 (D), FCSR]
 - ☐ All new utilities shall be extended underground. [3.17 (A), FCSR]
 - ☐ Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed. [3.12 (J), FCSR]
 - ☐ The Property Owners Association shall be responsible for maintenance of the private roadways and Common Areas. Roads shall be maintained, including necessary repairs, dust abatement, and snow removal, to ensure safe all-weather travel for two-way traffic. [3.9 (J)(3), FCSR]
 - ☐ Lot owners are reminded of the presence of large and potentially dangerous wildlife in the area. They are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact. [3.2, FCSR]
 - ☐ Lot owners are reminded of the unavailability for emergency response services.
 - ☐ Defensible Space Standards shall be incorporated around all primary structures as described in Appendix G of the Flathead County Subdivision Regulations. [3.21(F)(2), FCSR]
10. The developer shall furnish proof of an approach permit for the internal subdivision access off of Island Lake Road from the Flathead County Road Department. [Section 3.8 (A), FCSR]
11. The developer shall furnish proof of a Road Users Agreement, requiring each property owner to bear his or her pro-rata share for road maintenance of the private drive. [3.9(J)(3), FCSR]
12. New electrical and telephone utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the utility companies. [3.17 and 3.18, FCSR]
13. Lots under 20 acres in size shall be reviewed for compliance by the Flathead City-County Health Department and approved by the State of Montana Department of Environmental Quality prior to final plat application. [3.14(A), FCSR]
14. Lots 20 acres in size or larger shall be reviewed for compliance by the Flathead City-County Health Department and approved by the State of Montana Department of Environmental Quality at the time of development. [3.15(B), FCSR]
15. All required improvements shall be completed in place, or a Subdivision Improvement Agreement in accordance with Chapter 8 of the Flathead County Subdivision Regulations shall be provided by the subdivider, prior to final approval by the County Commissioners.
16. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7 (E), FCSR]
17. Preliminary plat approval is valid for three years. [Section 2.5 (D)(6), FCSR]
18. *The following statement shall be placed on the face of the final plat:*
- _____ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes _____ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that _____ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. _____ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for _____ Subdivision.*
19. ***The applicant shall record deed restrictions which prohibit further subdivision of the lots for a period of twenty (20) years.***
20. ***The following statement shall be placed on the face of the final plat:***
- “The owners acknowledge that no further subdivision of the lots shall be granted for a period of twenty (20) years and a deed restriction, (cite recordation number), has been recorded with the Flathead County Records Office prohibiting further land division of each parcel, including Family Transfers.”***

MEETING W/ ANDY HYDE & PAM HOLMQUIST RE: EVERGREEN SEWER PROPERTY

10:50:10 AM

Members present:

Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jed Fisher, Norm Calvert, Andy Hyde, Roberta Struck, Pam Holmquist

Discussion was held relative to the site needed for the Evergreen Sewer Plant. Pam Holmquist requested that the site be pinpointed so that they can move on with the process. Andy Hyde showed a map to the commissioner pointing out areas that they felt would be acceptable locations for the site. Commissioner Brenneman questioned why they could not just move on with the feasibility study without having to pinpoint where the site would be. Andy Hyde explained that the variables would be too

MONDAY, SEPTEMBER 12, 2005
(Continued)

great. Andy Hyde explained that the original site that had been chosen had fallen through due to issues with the Vo-Ag school. He stated that they would be willing to revisit that site if the issues could be mitigated.

The commissioners decided to continue this meeting until a later date.

DOCUMENT FOR SIGNATURE: OCA CONTRACT / COMPUTER SERVICES

[9:35:54 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the OCA Contract for Computer Services and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

1:00 p.m. Commissioner Brenneman to view Road Abandonment #438 w/ Jim Burton

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 13, 2005.

TUESDAY, SEPTEMBER 13, 2005

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Hall, Commissioners Watne and Brenneman, and Clerk Robinson were present.

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction,

Jan Stephens spoke in support of the Helena Flats Neighborhood plan. She stated that a lot of effort by a lot of people has been into the plan.

Linda Johnson stated that the people against the plan are just against planning. She stated that this valley needs planning. She also stated that there is never going to be a general consensus.

Linda Christensen spoke in favor of the Helena Flats Neighborhood plan. She stated that she really hopes the commissioners will vote for approval. She stated that the neighborhood got together to create a good plan and a lot of changes have been made by the planning board.

No one else rising to speak, Chairman Hall closed the public comment period.

MEETING W/ RAEANN CAMPBELL / HRO RE: WORK COMP

[9:07:22 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Clerk Kimberly Moser, Jonathan Smith, David Prunty, Tammy Skromovsky, Robin Boon

Discussion was held relative to Robin Boon presenting the commissioners with a workers compensation cost from the State fund. The quote from MACO was with the dividend just under \$600,000.00. Robin stated that there reason for looking at other offers is not just due to cost. Robin reviewed the advantages of the going through another carrier. Commissioner Hall questioned the ability to join with the cities and create a self insured group. Robin Boon and Jonathan Smith stated that they were not aware of any statute that would prohibit it. David Prunty stated that from an operational stand point he would like to be able to see an outline of where the money is going and as it currently going it is a black box.

MEETING W/ LAURIE REBUCK, JUVENILE DETENTION CENTER

[9:34:43 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Laurie Rebuck, Jonathan Smith

Discussion was held relative to a meeting that Laurie Rebuck had emailed Commissioner Brenneman to attend.

TUESDAY, SEPTEMBER 13, 2005
(Continued)

MONTHLY MEETING W KAROLE SOMMERFIELD, 4-H OFFICE

[10:06:20 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Karole Sommerfield, Dorothy Lynch

Discussion was held relative to FSNE program assistant Dorothy Lynch explaining the program to the commissioners, the next Murdochs presentation, a state leaders 4-H forum in Miles City, shooting sports progress, the progress of getting by without the Ag Extension Agent, and the request made by 4-H to run the concession stand in the new fair building.

FINAL PLAT; PIONEER BUSINESS PARK NO. 2

[10:16:17 AM](#)

Members present:

Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Traci Sears-Tull, Ardis Larsen

Sears-Tull reviewed the application submitted by Michael Blend for final plat approval of Pioneer Business Park No. 2 Subdivision, which will create seven commercial / light industrial lots. The subdivision is located off of Pioneer Road, northeast of Kalispell. Preliminary plat approval was granted on September 20, 2004, subject to 11 conditions. All conditions have been met.

Commissioner Brenneman made a **motion** to approve the final plat approval of Pioneer Business Park No. 2. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MEETING W/ FLATHEAD COUNTY MUSEUM BOARD

[10:35:51 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jesse Malone Jr, Bruce Ruby, EB Gilliland, Jackie Adams, Rand Robbin, Cliff Collins, Keith A Robinson

Discussion was held relative to EB Gilliland stating that the board is a very frustrated group of people. He went on to speak with the commissioners on there plans for the museum and the inability to do anything due to the lack of funds being provided by the county. He stated that they are here asking for money, but more than money. They are asking for the commissioners to take care of there assets. Commissioner Hall stated that they have found one thousand dollars to budget for the Flathead County Museum Board. The board has gotten a cost estimate for a new roof for the building, and it is the first on their list of priorities. Cliff Collins stated that the building is serving as a repository and therefore they are okay with the property donators. He stated that they have a dream and a vision of what could take place and with the budget they have why would they stay on the board. They asked the commissioners what they envision for the future. EB Gilliland asked the commissioner to maintain the building and ground like they would maintain other county buildings and grounds.

Commissioner Brenneman made a **motion** to designate \$1000.00 to the Flathead County Museum Board. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: HELENA FLATS NEIGHBORHOOD PLAN

[11:33:04 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jeff Harris, Jonathan Smith, Jan Stephens, Linda Johnson, Linda Christensen, Gary Henry, Carter Fritz, Ron Mackin, Laurretta Olsen, H Gray, Rick Breckenridge

Harris reviewed the changes made by the planning board. He also reviewed the fact that the plan is a guide and not a regulatory document. He stated that it could help lead them into zoning. Jeff Harris and the Commissioners reviewed the process for zoning.

Commissioner Brenneman made a **motion** to adopt Resolution 789AA. Commissioner Hall **seconded** the motion. **Aye** - Hall and Brenneman. **Opposed** – Watne. Motion carried by quorum.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

RESOLUTION NO. 789 AA

WHEREAS, Helena Flats Land Use Coalition, has requested a revision to the Flathead County Master Plan by the adoption of the Helena Flats Neighborhood Plan as an addendum to the Flathead County Master Plan. The Helena Flats Neighborhood Plan covers approximately 4,800 acres between U.S. Highway 2 on the West and the Flathead River on the East and between Rose Crossing on the South and Pioneer Road on the North;

WHEREAS, the Flathead County Planning Board recommended that the Board of Commissioners adopt the revision to the Flathead County Master Plan;

WHEREAS, the Board of Commissioners passed a resolution of intent (Resolution No. 789 Z) to consider the requested plan change on July 21, 2005, and gave notice that it would consider public comment received prior to August 26, 2005; and

WHEREAS, the Board of Commissioners has considered the information presented to it since the adoption of that resolution of intent.

NOW THEREFORE, BE IT RESOLVED, pursuant to Section 76-1-604, M.C.A., by the Board of Commissioners of Flathead County, Montana, that it hereby adopts the Helena Flats Neighborhood Plan as a revision to the Flathead County Master Plan, covering approximately 4,800 acres between U.S. Highway 2 on the West and the Flathead River on the East and between Rose Crossing on the South and Pioneer Road on the North. The property described is shown on the attached map as Exhibit A, Flathead County, Montana. The Helena Flats Neighborhood Plan, as adopted, is attached hereto as Exhibit B.

DATED this 13th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By /s/Gary D. Hall
Gary D. Hall, Chairman

By _____
Robert W. Watne, Member

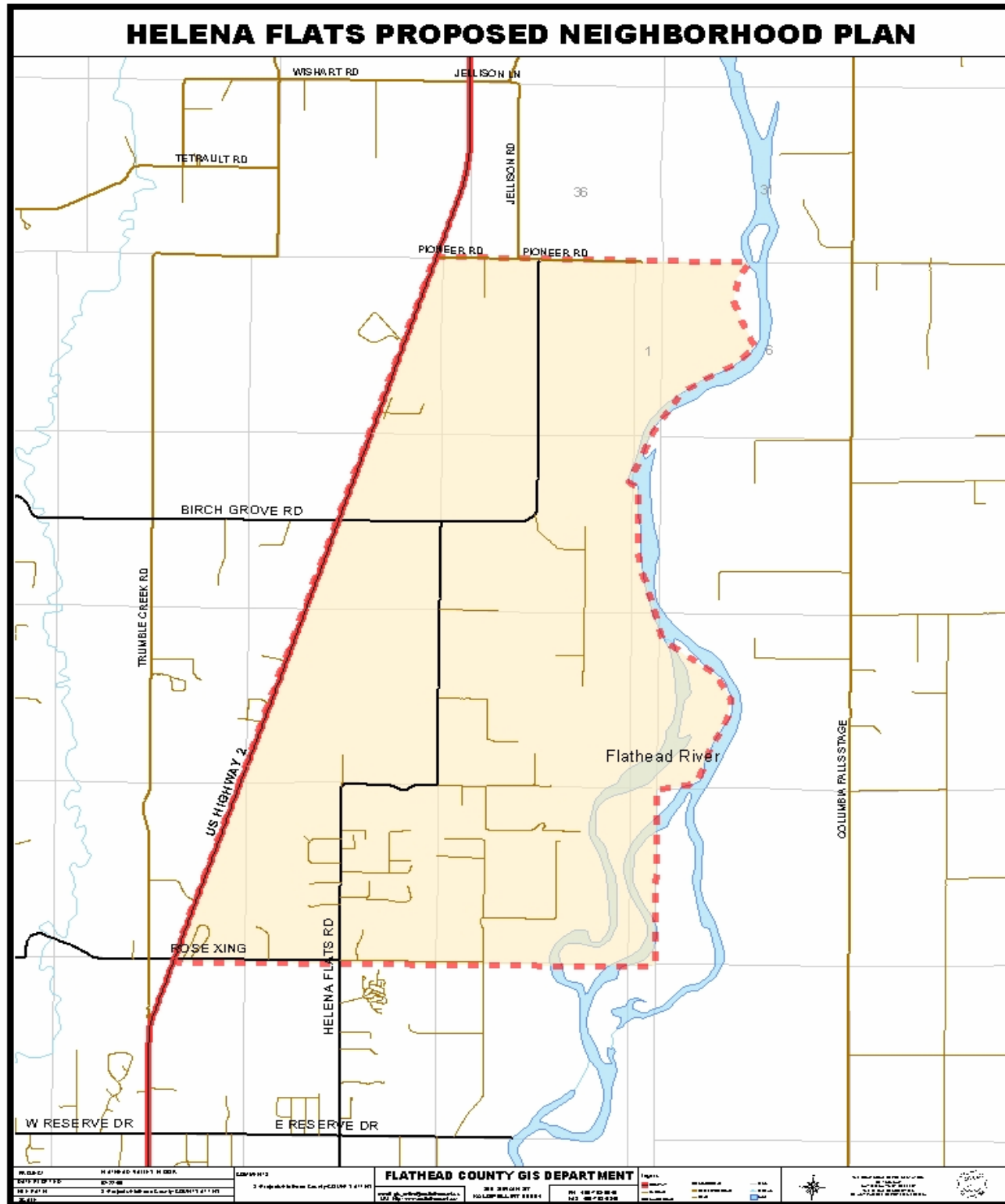
By /s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

TUESDAY, SEPTEMBER 13, 2005
(Continued)

EXHIBIT A



**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

Helena Flats Neighborhood Plan

Table of Contents

Preface

I.	Human and Cultural Resources	1
A.	History and Settlement Pattern	1
B.	Population.....	1
C.	Housing	2
D.	Economics.....	3-4
II.	Facilities and Services.....	5
A.	Water Systems	5
B.	Sewage	5
C.	Solid Waste Collection and Disposal	6
D.	Law Enforcement	6
E.	Fire Protection	7
F.	Public Recreational Facilities.....	7
G.	Schools	8
H.	Roads	9-10
III.	Natural Resources.....	11
A.	Surface Waters.....	11
B.	Ground Water	12
C.	Wetlands	13
D.	Floodplains	13
E.	Natural Vegetation.....	14
F.	Agriculture.....	14
G.	Weed Control	15
H.	Wildlife.....	15
IV.	LAND USE CATEGORIES.....	16
A.	Residential Land Use Category.....	16
B.	Rural Residential Land Use Category.....	16
C.	Institutional Land Use Category.....	16
D.	General Commercial Land Use Category.....	17
E.	Extractive Commercial Land Use Category.....	17
V.	Implementation Guidelines	18
A.	Incorporation in Flathead County Master Plan / Growth Policy	18
B.	Periodic Review of Neighborhood Plan	19
C.	Subdivision Review.....	19
D.	Helena Flats Land Use Coalition Committee.....	19
E.	Zoning	19
	Map 1 - Proposed Neighborhood Boundary, Wetlands, Hydrology	20
	Map 2 - Land Designations	21
	Map 3 - 100/500 Year Floodplain.....	22

INTRODUCTION

On March 15th and 16th 2004 the Helena Flats community held three meetings at the Helena Flats School to discuss growth and development in their neighborhood. The meetings were organized in large part because of a recent spate of development proposals in the area that the residents felt would greatly alter the character and quality of their neighborhood.

Out of the above-mentioned meetings came the following main sentiments: a desire to preserve the rural atmosphere and all of its associated amenities (wildlife, agriculture and forests); a concern for the water supply due to the lack of public sewer and an increase in waste water systems; a concern that the roads are inadequate and unsafe to support increased traffic in the area; and a desire to see well-planned development in the area.

With input from the Helena Flats Land Use Coalition Committee, a draft Neighborhood Plan was prepared to reflect the sentiments expressed at the March 15 and 16, 2004 neighborhood meetings. Using June 1, 2004 county records at the Plat Room and a current GIS map, landowners in the area were notified by mail that the draft had been prepared, they were provided summaries of pertinent elements of the draft and they were advised how to review and obtain copies of the draft. All landowners were invited to attend one of two neighborhood meetings held on June 22, 2004. Public input at those meetings resulted in additional changes to the draft plan.

This document represents a formalized plan of the community's vision for how growth should occur in its neighborhood and is meant to serve as a guideline for developers and property owners wishing to develop their land. Based on concerns and opinions expressed by the residents, this plan outlines goals and policies for the Helena Flats neighborhood.

The Helena Flats Neighborhood Plan is bounded by the Flathead River to the east; U.S. Highway 2 on the west; Pioneer Road on the north and Rose Crossing/Addison Roads close the planning area to the south. The entire area within these boundaries is included in the neighborhood plan. The planning area contains approximately 4,870 acres.

I. HUMAN AND CULTURAL RESOURCES

TUESDAY, SEPTEMBER 13, 2005
(Continued)

A. HISTORY AND SETTLEMENT PATTERN

In the mid 1930's the population of the entire Flathead County was approximately 19,200 people. At that time, the Helena Flats area was sparsely populated compared to today's standards. Helena Flats was primarily made up of 80 and 160 acre parcels that were used for agricultural purposes. Land owners made their living off of the land. In addition to agricultural lands, there was quite a bit of timber remaining among the fields. Highway 2, which forms the western boundary of the Helena Flats neighborhood, did not exist, as it is known today. Rather, LaSalle Road from Columbia Falls to Kalispell was nothing more than a dirt road. Helena Flats Road only went as far north as Reserve Street. Residents of the Helena Flats area were able to reach Kalispell by train from a siding at Rose Crossing and generally only did so about once a week or as the necessity arose.

Being so close in proximity to Kalispell, the area began to feel the pressures of development as early as the 1950's. In the early 1950's, the Harvey Aluminum Company purchased approximately 1500 – 2000 acres to install an aluminum plant. After purchasing the land for the aluminum plant, the Harvey Aluminum Company realized that the soil in the area was too unstable for construction of the proposed facility. Soil samples revealed a layer of quicksand under the topsoil and gravel layers. The Company had no use for the land so they sold it to Jim Edmiston. Mr. Edmiston turned the land into a large cattle ranch and farm, which fit in well with the uses of his many neighbors. The large cattle ranch and farm proved to be financially viable until sometime in the mid 1970's. At that point Mr. Edmiston divided the ranch into fairly large acreages and sold most of it to a rancher from Roundup. The rancher from Roundup did the same thing as Mr. Edmiston. He used the land for a period of time as a ranch and then again divided it up into smaller parcels and sold a number of them. This trend continues to date. Many ranchers and farmers, as their profession becomes less and less financially viable, choose to subdivide and sell small portions of their land.

Currently, the highest density development in Helena Flats is in the southern portion of the Helena Flats Neighborhood. This is largely due to its proximity to the City of Kalispell and to the Helena Flats School.

It is important to note that the current settlement pattern in the Helena Flats Neighborhood has not been influenced much by government standards. There have been no zoning or other land use controls enacted in the area. The only type of governmental regulation in the area has been through the county's subdivision review process.

B. POPULATION

Helena Flats' population in 1990 was 566. The 2000 census claimed a population of 662. That equates to a population increase of 96 people or a rate of 16.9% over the decade. This is significantly lower than the growth rate for the entire Flathead County, which experienced a 25.8% rate of growth during the same period. Based on these previous years, it can be assumed that the population of Helena Flats will grow at least 1.7% per year.

C. HOUSING

Existing Conditions

The residents of Helena Flats realize that there must be adequate housing for future growth. At the present time there is a fairly wide spectrum of housing in the area. The densest development in Helena Flats is located in the southwest portion of the neighborhood. The housing in that area is, generally speaking, more affordable than the other housing throughout the area. The homes in the southwest section include a large proportion of manufactured homes and trailers. The southeast portion of the neighborhood, near the Flathead River, is less dense, with larger parcel sizes than the southwest. The southeast portion of the Neighborhood contains a mix of housing. There is some affordable housing as well as some modest homes in this area. The northern portion of Helena Flats is still composed of large parcels, many being used for agriculture. The development in this area is generally much less dense than in the southern sections and generally contains a mix of newer, expensive homes as well as older homes, barns, and outbuildings associated with agriculture.

There are currently 468 recorded lots in the Helena Flats Area (see Map 1), owned by 283 individual property owners. Clearly, some owners own multiple lots at this time. The lots are held by a number of different entities. Individuals own some of the lots, some are held in trust, some are held by various corporations, and some are held by speculators. Due to the varying types of ownership present in the area, not all lots are used for residential purposes.

It should be noted that unlike Flathead County as a whole, the population of Helena Flats is not seasonal and therefore the housing production is not expected to occur at a pace faster than the area's population growth.

Goals

- Recognize the need for housing and cooperate to provide well-planned subdivided lots within the constraints of infrastructure and natural resources.
- Develop housing in appropriate locations in a manner that makes reasonable use of the land and respects natural resources.
- Develop housing in a manner that recognizes the economic value of variables such as open space and scenic view in maintaining a rural atmosphere.

Policies

- Encourage mixed use of land to enable agricultural landowners to develop portions of their land that are no longer suitable nor economically feasible for agricultural production.
- Allow development throughout the Helena Flats Neighborhood that respects the historic development patterns and the natural resources of the area.
- Encourage higher density development in the southern portion of Helena Flats realizing that section is the closest to Kalispell, has the best access to the school, is consistent with existing development patterns, and will most likely be the first section of Helena Flats to receive public sewer.
- Encourage cluster development in the areas of Helena Flats identified for less dense development in order to preserve agricultural lands, open space, wildlife habitat, and the rural atmosphere valued by residents.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

D. ECONOMICS

Existing Conditions

The Helena Flats area is primarily a residential area and most residents no longer make their living by utilizing the land as an agricultural resource. However, some residents of the Helena Flats area still engage in farming and ranching as their primary economic activity. These farms and ranches are beneficial in that they provide an economic base for the community. There are also numerous commercial and industrial operations in the area. The majority of the commercial and industrial uses are located in the southwest and northwest portion of Helena Flats.

In the southwest portion of Helena Flats, the largest commercial use is the JTL gravel pit. The gravel pit is an extractive industry that, once the gravel pit is no longer feasible, will be reclaimed by JTL. Other than the gravel pit, the businesses in the southwest portion of the neighborhood are mainly service and supply oriented. The northwestern portion of Helena Flats contains a nursery and greenhouse, a forest products supplier, and a construction company.

The commercial activities in the Helena Flats area are generally located in the northwest and southwest sections of the Neighborhood for several reasons. U.S. Highway 2, which makes up the western border of Helena Flats, is paralleled by railroad tracks the entire length of the neighborhood. There are three primary access points where traffic is able to cross the railroad tracks and enter Helena Flats. The first is Rose Crossing, the southern boundary of the neighborhood. The second is Pioneer Road, the northern boundary of Helena Flats. Lastly, there is an access at Birch Grove, which is just north of the midpoint between Pioneer Road and Rose Crossing. Most commercial activities in Helena Flats have located near these access points. In addition to the three primary access points, there are accesses which are limited to existing dwellings.

It is impractical to locate commercial activities in the interior of Helena Flats until the interior road system is sufficient to handle commercial traffic. (See Roads II.H). Because the current condition of the roads cannot handle commercial traffic, commercial activities should be confined to areas near the access points of Rose Crossing, Birch Grove and Pioneer Road to Helena Flats from Highway 2. Those areas adjacent to Highway 2 but without direct access to Highway 2 or Rose Crossing, Birch Grove Road or Pioneer Road will require a frontage road.

With the current trend of farms and ranches being subdivided into housing developments, Helena Flats is growing increasingly dependent on the City of Kalispell for employment. As was previously stated, at one point the Helena Flats area was self-sufficient in that residents of the area primarily relied on their land to provide a source of income. This is no longer the case. A large number of the residents in the Helena Flats area work in Kalispell and the surrounding communities. As ranch and farmland is continuously lost, the Helena Flats area can expect to generate less and less income. If the current trends continue, the Helena Flats area will develop into a residential community providing housing for a population that looks to Kalispell and the surrounding area for employment.

Goals

- Provide opportunities for business and industry to develop in Helena Flats.
- Encourage business and industry that does not infringe on the quality of life of the residents of Helena Flats.

Policies

- Encourage commercial activities to develop near access points to Highway 2 and existing commercial activities or on frontage roads parallel to Highway 2.
- Discourage commercial activities that pose a risk to surface and groundwater quality.
- Encourage uses that will have minimal impact on the roads of Helena Flats.
- Where commercial activities will be located adjacent to residential properties, encourage commercial activities that are compatible with the residential character of adjacent properties.
- Encourage commercial activities to minimize the amount of outdoor lighting and to utilize lighting fixtures shielded to avoid glare on adjacent properties and designed to avoid unnecessary illumination of the night sky.

II. FACILITIES AND SERVICES

A. WATER SYSTEMS

Existing Conditions

Private wells are the sole source of clean water for residents of Helena Flats. The wells tap into the fast-flowing aquifer running beneath the neighborhood. See Map 1 for the location of existing wells.

Currently there is no public water system infrastructure to Helena Flats.

Goals

- To maintain a clean, safe and sanitary water supply for all the residents of Helena Flats, free from the threats of degradation and depletion.

Policies

- Monitor areas of increasing density which utilize septic systems as the primary sewage treatment method to ensure that private wells continue to be safe. In areas where degradation is apparent, alternative solutions should be offered.

B. SEWAGE

Existing Conditions

Private septic systems that drain into individual or shared drain fields are the sole means of treating sewage in Helena Flats.

Currently there is no public sewage infrastructure to Helena Flats.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

Goals

- To maintain and encourage safe, efficient, environmentally sound sewage disposal throughout the Helena Flats neighborhood.
- To maintain surface and groundwater resources free from contamination or the threat of contamination by sewage effluent.

Policies

- Monitor areas of increasing density, areas of known septic tank failures and areas of severe soil limitations to avoid health related problems and the ground and surface water contamination associated with ineffective on-site sewage disposal systems.
- In critical or sensitive locations or areas of failing septic systems, efforts should be made to utilize alternative disposal methods to safeguard the existing human and natural environment.
- Approach sewage disposal practices around surface water with extreme precaution to safeguard water quality.

C. SOLID WASTE COLLECTION AND DISPOSAL

Existing Conditions

Private contractors employed by individual residents primarily perform collection and disposal of solid waste in Helena Flats. Additionally, some residents occasionally burn some solid waste such as natural debris and paper products.

Goals

- To maintain environmentally-sound disposal of solid waste to preserve the quality of Helena Flats.
- To minimize accumulation of refuse, including junk vehicles.

Policies

- Encourage the Flathead County Planning and Zoning Office and the Board of County Commissioners to review all subdivision applications for multi-family, commercial and industrial developments to ensure suitable access by refuse collection vehicles.
- Encourage residents to dispose of hazardous wastes according to state and federal law.
- Encourage the county to rigorously enforce state and local laws regarding the storage of abandoned, discarded or junk vehicles.
- Encourage Flathead County to rigidly enforce its County Decay Ordinance.
- Discourage commercial salvage yards.

D. LAW ENFORCEMENT

Existing Conditions

The Flathead County Sheriff's Department is responsible for law enforcement in Helena Flats.

Goals

- To establish and maintain a crime-free neighborhood.
- To encourage a responsive, well-trained and well-maintained Flathead County Sheriff's Department.
- To encourage a neighborhood crime prevention program.

Policies

- Encourage the county sheriff's department to patrol Helena Flats (particularly areas of public use) on a regular basis.
- Encourage the development of Neighborhood Watch programs.

E. FIRE PROTECTION

Existing Conditions

Helena Flats is located within the Evergreen Fire District, which is bounded on the east by the Flathead River, the north by Pioneer Road, with irregular east and south boundaries extending almost to Highway 93 and Highway 35 in places.

The Evergreen Volunteer Fire Department ("EFD") has 28 active volunteers, seven trucks, a 55' aerial ladder truck, and two tenders. The main fire station, located on LaSalle near its intersection with East Evergreen, houses five trucks. A satellite station, located on Birch Grove across from Costco, houses two trucks and provides quicker response time to the northern part of the Evergreen Fire District.

Goals

- A coordinated fire protection program that serves the needs of the entire Helena Flats Neighborhood, emphasizing access, response time, and well-trained, well-equipped stations and personnel.
- To have an EMT Basic as a member of the Evergreen Fire District.

Policies

- Encourage neighborhood support for the invaluable alert services
- Encourage structures built within the Helena Flats Neighborhood be constructed and maintained to minimize fire risk and permit efficient fire suppression.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

F. PUBLIC RECREATIONAL FACILITIES

Existing Conditions

Public recreational facilities in the Helena Flats neighborhood are limited, consisting only of the Presentine Bar fishing access and the Helena Flats School playground.

Presentine Bar fishing access, located on the eastern boundary of the Helena Flats neighborhood, is owned by the state of Montana and managed by Montana Fish, Wildlife and Parks. It is a relatively undeveloped access, consisting of little more than an unimproved parking area and boat ramp.

The Helena Flats School playground has a swing set, jungle gym, basketball court, and a few other amenities.

Goals

- Develop natural recreational areas for neighborhood residents.
- Create a regional park serving Helena Flats.
- Encourage development of Pressentine Bar Fishing Access for greater public safety and use.

Policies

- Expand and enhance seasonal and year-round recreational opportunities for neighborhood residents.
- Encourage open and well-maintained recreational areas for neighborhood residents.

G. SCHOOLS

Existing Conditions

The Helena Flats School District draws from a three mile radius. The very northern portion of Helena Flats is located within the Columbia Falls School District.

Helena Flats School, located at the intersection of Helena Flats and Rose Crossing, offers classes K-8. The school's maximum capacity is 240 -250 students, depending on where increases occur. The pupil/teacher ratio varies from 12:1 to 28:1. Approximately 210 students are currently enrolled. The School also serves as a local community center for meetings, etc.

The Helena Flats School District does not provide any bussing. After eighth grade, students transfer over to the Kalispell Junior and Senior High Schools.

Valley Adventist Christian School is a private school located on Helena Flats Road within the Helena Flats neighborhood.

Goals

- Ensure the Helena Flats School is adequately staffed and maintained to serve students in the Helena Flats School District.
- Ensure safe access for all school children via a bike/pedestrian path.

Policies

- Encourage the maintenance of the Helena Flats School as a center for education and community activity.
- Encourage the Helena Flats School District to comment on school issues related to subdivisions in the Helena Flats School District.
- To lessen traffic throughout the Helena Flats Neighborhood, encourage residential growth in the southern end of the Helena Flats Neighborhood near the Helena Flats School at a higher density than other areas of Helena Flats farther from the Helena Flats School.
- Encourage the Board of County Commissioners to require all subdividers to provide easements to the extension of bike/pedestrian path's serving the Helena Flats area and the Helena Flats School.

H. ROADS

Existing Conditions

The Flathead County Road Department is responsible for maintaining and snowplowing the public roads within Helena Flats. From south to north in Helena Flats, these public roads include:

- Rose Crossing
- Addison Square
- Capistrano Drive (portions)
- Helena Flats Road
- Aspen Lane
- Eid Lane (portions)
- Dirt Road (portions)
- Birch Grove Road
- Bayou Road (portions)
- Pioneer Road
-

Many of the public roads within Helena Flats were built to minimal standards, never intended for long service or heavy traffic, and are now expensive to maintain. Additionally, most of the public roads are very narrow with little to no shoulder, and frequently they parallel deep ditches immediately adjacent to the road surface. The Flathead County Roads Department has conducted road counts in the area that reveal an increase in traffic in the last four years. The Supervisor of the Flathead County Roads Department has identified the following issues with the public roads in Helena Flats:

TUESDAY, SEPTEMBER 13, 2005
(Continued)

- Lack of Adequate Right-of-Way. Many of the roads have less than the required minimum 60' right-of-way. This inhibits expansion to accommodate proper drainage, utility access, and pedestrian facilities. Additionally, these roads often are not located in the center of the existing right-of-way.
- Lack of Pedestrian Facilities/Bike Trails. Due in part to the lack of adequate rights-of-way along these roads, there is also a lack of pedestrian facilities and bike trails.
- Lack of County Funding. Given Flathead County's countywide population and use demographics as compared to those for Helena Flats, only a very small portion of county road funding is spent on maintaining and plowing roads in Helena Flats.
- The Need for Better Standards for Private Driveway Encroachments onto County Roads. The County standards for private driveway encroachments onto county roads do not adequately address drainage and access issues.
- Building and Fence Setbacks. Buildings and fences are often located very close to the road surface, damaging snowplows and hindering maintenance.
- Increasing Traffic. The roads were not designed to handle increasing traffic, particularly from commercial and industrial uses.
- Subdivision Roads. Subdivision road requirements should require county-approved paved interior and access roads for minor subdivisions as well as major.

In addition to the public roads, there are also several miles of private roads, most of which are dirt surfaces, with characteristics otherwise similar to those described above.

A bike/Pedestrian trail has been completed. The trail will extend from the intersection of Rose Crossing and Helena Flats Road one mile north, south almost one mile to Reserve, and then angled over to Camelot Estates and Spring Creek, and one mile west to the railroad tracks.

Goals

- To improve pedestrian safety by constructing a pedestrian and bicycle pathway and mitigating unnecessary traffic through the Helena Flats neighborhood.
- To resolve the issues identified immediately above.
- To expand the bike trail, once constructed, first to areas south of Helena Flats/Eid Road, and then to areas further to the north within the Helena Flats neighborhood.

Policies

- To encourage the County to address and resolve the issues identified immediately above.

III. NATURAL RESOURCES

A. SURFACE WATERS

Existing Conditions

The rivers and streams of the Helena Flats Neighborhood are important community assets. They supply aesthetic and recreational benefits, in addition to providing wildlife and fisheries habitat and refuge. Helena Flats residents recognize the value of these resources and wish to preserve their quality and character.

The two primary sources of surface water in the Helena Flats Neighborhood are the Flathead River and Spring Creek. The Flathead River flows from north to south and forms the eastern boundary of the Helena Flats Neighborhood. The water quality of the Flathead River is especially important due to the fact that it empties into Flathead Lake, which is listed as a high priority 303(d) list water body. There is concern that nutrient loading from the Flathead River may further contribute to the degradation of Flathead Lake. At present, the water quality of the River is good, but should be monitored as development increases to ensure that nutrients from Helena Flats and surrounding areas do not filter into the River and into Flathead Lake.

Spring Creek is a tributary of the Flathead River. It originates in, and flows through, the Helena Flats Neighborhood. The Creek empties into the Stillwater River and then into the Flathead River. From its point of origin to its terminus in the Stillwater River, Spring Creek spans a distance of eight miles. From 1988 to 1990 the Creek went through a series of improvements totaling approximately \$150,000. The improvements were needed because over the years, the water quality of the Creek was severely degraded by overgrazing, deposition from flooding of the nearby Flathead River, and urban development. The improvements made to the Creek, as well as presumably better management practices have restored the water quality of the Creek.

Goals

- Protect the quality of the various bodies of surface water in Helena Flats.
- Maintain the integrity of the shore land located in Helena Flats.

Policies

- Encourage the Board of County Commissioners to require subdividers to create a buffer next to streams, creeks, and rivers in Helena Flats to preserve water and shore land quality.
- Discourage impervious surfaces, the application of pesticides or fertilizers, or livestock facilities within the buffer.
- Improve water quality by minimizing erosion and sedimentation problems. Promote best management practices for any development adjacent to surface waters.
- Prevent increased storm water runoff from new development from adversely affecting surface water quality.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

B. GROUND WATER

Existing Conditions

The groundwater quality in Helena Flats is vital to the well-being of its residents. It is equally important to the health of Flathead Lake as nutrients from the aquifer have the potential of being emptied into the Lake via the Flathead River. The aquifer serving Helena Flats extends from the mouth of Bad Rock Canyon to the confluence of the Stillwater and Flathead Rivers, bounded on the west by the Whitefish River and on the east by the Flathead River. The Helena Flats aquifer is very shallow as compared to other aquifers – ranging in depth from 2 to 12 feet below the ground.

A study done by the Flathead Lake Biological Station¹ indicates that the water quality in the area around Helena Flats is currently acceptable and has not deteriorated significantly. This is most likely attributable to the very high flow rate of the aquifer serving the Helena Flats area. Water travels in the aquifer from north to south at the rate of 15 to 20 feet per day (groundwater flow rates are generally measured in feet per year). While this high recharge rate seems able to support the current amount of development in Helena Flats, the effects downstream are of concern. There are many wells in the Helena Flats area less than 25 feet deep.

Goals

- Provide and maintain an adequate, safe, ground water supply to the residents of Helena Flats.

Policies

- Encourage the use of newer waste water systems that function more effectively, thereby minimizing groundwater pollution.
- Encourage the Board of County Commissioners to require subdividers to locate common sewer systems in the areas most suitable for such systems.
- Encourage monitoring the effect new development and waste water systems have on water resources.
- Encourage cluster development with common water and sewer systems.
- Discourage locating waste water systems within the 100-year floodplain.
- Prevent increased storm water runoff from new development from adversely affecting surface water quality.

C. WETLANDS

Existing Conditions

Wetlands are critical areas that affect water quality, wildlife, and community aesthetics. Wetlands also mitigate the impact of flood events. Helena Flats contains wetlands throughout the area. The wetlands were identified in the United States Fish and Wildlife National Wetlands Inventory (see Map 1).

Goals

- Preserve existing wetlands located in the Helena Flats Neighborhood.

Policies

- Prohibit construction activities within delineated wetlands.
- Discourage development that will have an impact on wetlands.
- Encourage the Board of County Commissioners to require subdividers to establish a buffer around all inventoried wetlands.
- Discourage impervious surfaces, the application of pesticides or fertilizers, or livestock facilities within the buffer.
- Encourage cluster development that preserves wetland areas as open space.

D. FLOODPLAINS

Existing Conditions

Development in areas prone to flooding can be very costly for residents and government. Due to the topography of Helena Flats, the vast majority of the area lies within the 500-year flood plain. A smaller portion of the area lies in the 100-year flood plain. 100-year and 500-year flood plains are identified on the 2000 Flathead County GIS map. (See Map 3).

Goals

- Minimize the loss of property associated with a flood event in Helena Flats.
- Mitigate the negative environmental effects of a flood event.

Policies

- Discourage construction activities within the 100-year flood plain.
- Encourage preservation of existing natural drainages.
- Encourage preservation of areas within the 100-year flood plain as open space.
- Discourage wells from being located within the 100-year flood plain.

¹ Craft, James A. and Bonnie K. Ellis, Flathead Lake Biological Station, University of Montana. *Groundwater Nutrient Assessment of Selected Shallow Aquifers in the North Flathead Valley and Flathead Lake Perimeter Area, Northwest Montana*. Open File Report Number 180-04. February 2004.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

E. NATURAL VEGETATION

Existing Conditions

Woodlands are an aesthetic asset and serve as natural habitat for many forms of wildlife. Historically, the area that is Helena Flats contained substantially more trees than it does currently. However, there are a few areas that still contain mature trees.

Goals

- Encourage preservation of healthy trees and woodlands located throughout Helena Flats.

Policies

- Encourage developers to design building sites around existing, mature trees to the extent possible.
- Encourage developers to plant street trees along all roads within and bordering subdivisions.

F. AGRICULTURE

Existing Conditions

At one point, Helena Flats was almost exclusively utilized for agriculture and ranching purposes. However, due to global changes in agricultural practices and economics, agriculture is not as viable as it once was. It is not uncommon for holders of agricultural land to need to convert their assets into cash. As a result there is a gradual shift from agriculture and ranching towards housing developments in the Helena Flats Neighborhood.

Goals

- To recognize that agriculture is changing in Helena Flats and individuals holding agricultural land need a reasonable amount of flexibility in order to manage their assets.
- To recognize that agricultural land holders in Helena Flats should not have to sell large portions of their land to meet obligations in hard economic times.
- Allow agricultural land holders the ability to develop areas of their land and continue farming.

Policies

- Recognize that the importance of farming shall not overshadow the right of a landowner to pursue other uses for their land.
- Encourage cluster development.
- Allow lands required to be held in open space as part of cluster development to be utilized for agricultural purposes.
- Occupants of housing and commercial development adjacent to agricultural land shall be aware of the right to farm on adjacent lands.

G. WEED CONTROL

Existing conditions

Compared to the rest of Flathead County, the Helena Flats Neighborhood is relatively weed-free. There are some infestations of thistle and knapweed, however control is generally good. As tracts of property are converted from agricultural to residential use, weed infestation will increase and become an increasing danger in Helena Flats.

Goals

- Prevent future infestations of noxious weeds in Helena Flats.

Policies

- Encourage Flathead County to continue vigorous enforcement of the Montana Noxious Weed Act.
- Encourage private landowners to monitor their land regularly to aid in early detection of a noxious weed infestation and to work with the Weed Control Office to develop a weed control program.
- Encourage developers and landowners to adopt measures that will mitigate the proliferation of noxious weeds associated with development. Examples of such measures are: maintaining natural groundcover to the extent possible; and re-vegetating disturbed soil as soon as practicable.

H. WILDLIFE

Existing Conditions

Helena Flats is home to a diverse array of wildlife. Whitetail deer, beaver, coyote, mink, muskrat, raccoon, red fox, river otter, striped skunk, various fish species, and various birds of prey all frequent the area. There have been occasional sightings of black bear, grizzly bear, mountain lion, elk, and moose; although these animals have grown increasingly rare. The residents of Helena Flats value the wildlife and want to preserve the existing wildlife and wildlife habitat.

Goals

- Encourage development that Preserves wildlife and wildlife habitat in Helena Flats.

Policies

- Encourage cluster developments that are designed in a manner that preserves wildlife habitat.
- Encourage cluster developments that are designed in a manner that preserves wildlife corridors.

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

IV. LAND USE CATEGORIES

The land use categories are general descriptions of planned land uses. Each category has a range of densities or intensities of uses. The designations do not guarantee that a specific parcel will be approved for a particular zoning classification density of land use in the future. However, the general land use categories should be used, along with the applicable goals and policies to assist in providing a guide for land use decisions.

Designs for all land use categories should take into consideration the goals and policies of this plan and demonstrate compatibility with existing and planned adjacent land uses. These land use categories are geographically shown on Map 2.

A. Residential Land Use Category

The Residential category is intended for one single-family dwelling unit per one acre density. This category is situated closest to higher density uses in Evergreen and Kalispell and is more consistent with those land use patterns. Public infrastructure and service availability affect the intensity and density within this category. Local supporting public facility uses, such as neighborhood parks and schools, are also allowed within this category. Additionally, home occupations that are not vehicle destinations or dependent and cause increased vehicle traffic may be allowed, if appropriate. Multi-family residential, General commercial, industrial and mineral extractive/processing uses are not appropriate for the Residential Land Use Category.

B. Rural Residential Land Use Category

The Rural Residential category allows a maximum of one single-family residential dwelling unit per five gross acres. The Rural Residential Land Use category is intended to protect areas that are already developed and rural in character from encroachment and more intensive development. The predominate residential life-style is single-family homes on large lots, many including equestrian facilities. This intensity of use will also assist in minimizing environmental impacts on the shallow aquifer system and wildlife habitat. Agricultural uses are also compatible within this land use category as well as local supporting public facility uses, such as parks and schools. Multiple-family dwellings, commercial, industrial and mineral extractive/processing uses are not appropriate for the Rural Residential Land Use Category.

C. Institutional Land Use Category

The Institutional Land Use Category is intended to encourage public facilities serving the public health, safety, education and general welfare in locations that have existing community facilities. Such uses may include schools, daycare centers, churches, libraries and other facilities. Existing residential dwelling units are deemed to be compatible in this category. Multi-family, commercial and all industrial uses are not appropriate in the Institutional Land Use Category.

D. General Commercial Land Use Category

The general Commercial category allows for low intensity business and office professional development. Given the proximity to the rail line these developments should be clustered or grouped with shared access from U.S. Highway 2. General commercial uses should be developed in nodes or centers and not configured in a "Strip Commercial Pattern." These developments should be buffered with landscaping to minimize road noise and beautify the highway corridor.

E. Extractive Commercial Land Use Category

The Extractive Commercial Land Use Category is intended to support mineral extractive/processing uses in locations that have existing mineral extractive development and are readily accessible to U.S. Highway 2. All such uses should be bermed and buffered with landscaping to minimize noise and mitigate adjacent land uses.

**V. IMPLEMENTATION GUIDELINES FOR THE HELENA FLATS
NEIGHBORHOOD PLAN**

A. INCORPORATION IN MASTER PLAN OR GROWTH POLICY

The Helena Flats Neighborhood Plan has been developed with the intention and expectation that it will be adopted by the Flathead County Commissioners as a part of the County's new Growth Policy. If the County's new Growth Policy is not adopted by the County before October 1, 2006, the Helena Flats Neighborhood Plan shall be adopted by the County as an amendment to the County's existing Master Plan as soon as possible after October 1, 2006.

The Helena Flats Neighborhood Plan sets forth goals and policies and specific land use guidelines to address current issues and avoid future development problems. This Neighborhood Plan takes into consideration property rights, future population, public facilities, natural resources and public input concerning the future of the Helena Flats neighborhood. Upon adoption, this Neighborhood Plan becomes a guide for future development and the foundation for local policies and regulations implementing the principles in the Neighborhood Plan.

Implementation of the Neighborhood Plan will result from cooperation and coordination among the public and private sectors to continue to create a desirable and healthy community. The following methods are means for implementing the Neighborhood Plan. Education and community awareness of the goals and policies of the Neighborhood Plan, as well as the desire of the residents to improve the quality of their community's environment, are the most effective instruments of change and should underlie all of the following implementation tools.

B. PERIODIC REVIEW OF NEIGHBORHOOD PLAN

The Helena Flats Neighborhood Plan is a living document requiring periodic review and revision to assure it continues to reflect the goals and desires of the residents within the Helena Flats area. A review of the Helena Flats Neighborhood Plan shall occur whenever the County's Growth Policy is reviewed, which is currently required by statute to be at least every five years. Among the conditions that will lead to a revision of the Neighborhood Plan are the following:

**TUESDAY, SEPTEMBER 13, 2005
(Continued)**

- The Neighborhood Plan no longer reflects the community's current goals and objectives;
- Existing characteristics and features of the neighborhood or portions of the neighborhood differ materially from the descriptions in the Neighborhood Plan;
- Conditions have materially changed so that projected trends in land use, population, housing needs, economic conditions, local services, natural resources, or other elements are no longer accurate;
- Experience with the Neighborhood Plan and the goals and policies, regulations and other measures employed to implement the Neighborhood Plan suggests the need to improve the clarity and effectiveness of the Neighborhood Plan.

C. SUBDIVISION REVIEW

One of the primary tools for implementing the Neighborhood Plan is the Flathead County Subdivision Regulations. Section 76-3-501, Montana Code Annotated, requires the governing body of every county, city and town to adopt and provide for the enforcement and administration of subdivision regulations governing the subdivision of land within their jurisdiction. Section 76-1-606, Montana Code Annotated, provides that when a growth policy (including a Master Plan) has been adopted by the local governing body, the subdivision regulations must be made in accordance with the adopted growth policy.

D. HELENA FLATS LAND USE COALITION COMMITTEE

The Helena Flats Land Use Coalition (HFLUC) is a Montana nonprofit organization. The HFLUC Committee is open to those who own *or*/and reside on property in the area and regularly attend meetings. The Committee shall serve as a liaison between the various county offices addressing land use and development and the residents of the Helena Flats Neighborhood. HFLUC does not serve in a decision-making role, but it will assist residents of the Helena Flats Neighborhood in assessing compliance of proposed subdivisions and developments with this Neighborhood Plan and other relevant County and State regulations, and in proceeding with updates to this Neighborhood Plan and the implementation of this Neighborhood Plan. Helena Flats Land Use Committee will serve in that capacity until a 7 member advisory committee for the Helena Flats Neighborhood Plan is appointed by the Flathead County Commissioners.

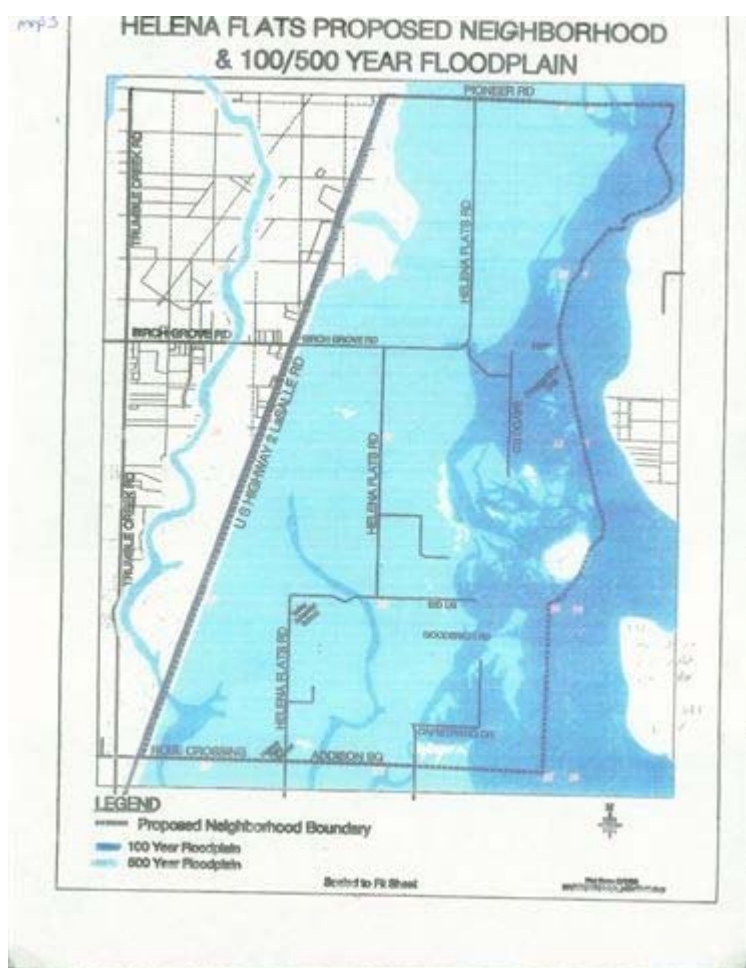
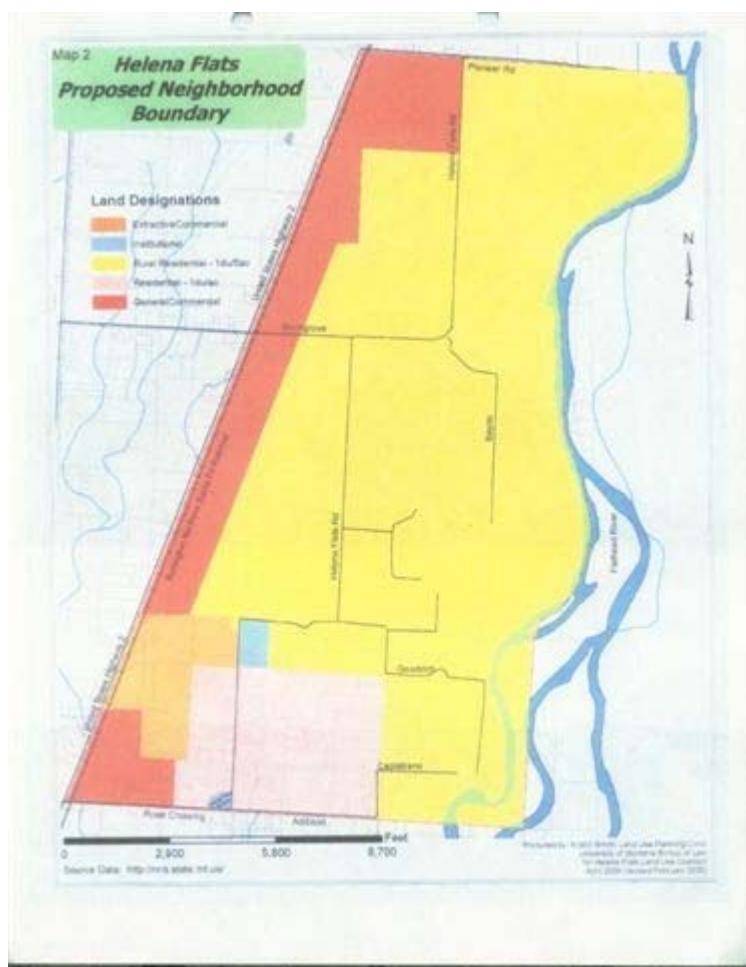
E. ZONING

Zoning is intended to ensure the adequate provision of land for uses and services, adequate air, light, privacy and safety in the development of property consistent with the goals and policies of the Neighborhood Plan. Impartial enforcement of zoning regulations with fair and unbiased consideration of individual hardship can be a creative and effective force in plan implementation. By protecting property values and maintaining confidence in private property investment, zoning can instill community and neighborhood pride.

While implementation of the Neighborhood Plan through the County's subdivision regulations and subdivision review process will impact land development activities that constitute "subdivisions" subject to County review, it will not address land use or divisions of land that are not subject to County review and approval, including for example any changes in land use that do not require the subdivision of land or land divisions accomplished through a family transfer exemption from the subdivision regulations. The adoption of a neighborhood zoning ordinance, in accordance with the terms of this Neighborhood Plan, by contrast, would implement all terms of the Neighborhood Plan as they affect all property within the neighborhood, regardless of whether the change of use or other activity constituted a subdivision subject to County review.



TUESDAY, SEPTEMBER 13, 2005
(Continued)



11:30 a.m. Commissioner Hall to attend Columbia Falls Chamber Luncheon at North Valley Community Room
1:00 p.m. Commissioner Brenneman to attend meeting w/ Forest Service & DNRC re: Fire Planning

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 14, 2005.

WEDNESDAY, SEPTEMBER 14, 2005

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Hall, Commissioners Watne and Brenneman, and Clerk Robinson were present.

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Hall closed the public comment period.

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

MEETING W/ RAEANN CAMPBELL / HRO RE: WORKERS' COMPENSATION PRESENTATION

9:04:08 AM

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Robin Boon, David Prunty, Tammy Skramovsky, Bob Leceno, Rick Birkhalter, Kim Thomas,
Jonathan Smith, Paula Robinson, Susan Nicosia

Discussion was held relative to the workers comp insurance quotes from Liberty Northwest Insurance. Bob Leceno and Rick Birkhalter reviewed the Liberty Northwest Insurance history and the different types of accounts that they have. Bob Leceno reviewed the types of plans that they have for workers comp. Robin Boon reviewed the quote submitted by Liberty Northwest. It was also discussed on what benefits there are with going with Liberty Northwest. Rick Birkhalter stated that they have the resources and the people to help the county keep the claims down and make the county environment safer.

CONSIDERATION OF ADOPTION OF RESOLUTION: BUDGET FY 05-06

9:38:02 AM

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Susan Nicosia, Norm Calvert, Paula Robinson, Jonathan Smith, Jeff Harris, Jed Fisher

Susan Nicosia reviewed the minor changes that had been made in the budget. Susan also reviewed the tax levy schedule.

Commissioner Watne made a **motion** to adopt Resolution 1885. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

RESOLUTION NO. 1885
A RESOLUTION APPROVING AND ADOPTING THE FLATHEAD
COUNTY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2006

WHEREAS, Section 7-6-4030(2) M.C.A. requires that the Board of County Commissioners, by resolution, approve and adopt the budget for each fiscal year;

WHEREAS, the Board of Commissioners, in accordance with Section 7-6-4030(3)(a), MCA, may establish the legal spending limit at a level of detail which will allow more flexibility and has determined that that level of budget control should remain at the Fund/Department level;

WHEREAS, the Board of Commissioners directed a hiring freeze during the budget process and has determined that any unused budget authority in Personnel Services will provide a much needed carryover to the next fiscal year; and

WHEREAS, the proper public hearings have been held in regard to the setting of such budget for the fiscal year ending June 30, 2006.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for Flathead County does hereby approve and adopt the final budget for Flathead County for the fiscal year ending June 30, 2006, as set out in the budget document attached and incorporated herein as a part of this resolution.

BE IT FURTHER RESOLVED, that the level of budget control shall be at the Fund/Department level, that any unused budget appropriations for the Personal Services object codes (100's), shall not be used to increase spending in other budget areas, such as Supplies, Purchased Services or Capital Outlay, without specific Board approval, and that budget authority within the remaining object codes, 200 - 900, may be transferred at the fund/department level without line item transfer approval by the Board of Commissioners, provided that total expenditures may not exceed the total fund/department budget.

BE IT FURTHER RESOLVED, that the Board of county Commissioners for Flathead County does hereby approve and adopt the levies required to fund the final budget for Flathead County for the fiscal year ending June 30, 2006, as set out in the budget document attached and incorporated herein as part of this resolution.

BE IF FURTHER RESOLVED, that the Board of County Commissioners for Flathead County does hereby order the Clerk and Recorder to enter the budget document and tax levy schedule in the official minutes of the Board of County Commissioners and to send copies of the budget as approved and adopted to all necessary offices of the county and the State of Montana.

APPROVED AND ADOPTED this 14th day of September, 2005.
BOARD OF COMMISSIONERS

Flathead County, Montana
By: /s/Gary D. Hall
Gary D. Hall, Chairman
By: /s/Joseph D. Brenneman
Joseph D. Brenneman, Member
By: /s/Robert W. Watne
Robert W. Watne, Member

ATTEST: Paula Robinson, Clerk

By: /s/Kimberly Moser, Deputy

2006 FY Tax Levy Recap:	Mill levy per	Budgeted			Total Tax \$\$	Budgeted		15-10-420	fy 06 change	
	15-10-420,MCA	Mill Levies	Difference			FY 05	Difference	Fy 05	in mills per 15-10-420	
					\$					
1000 General		14.848			2,475,159.24	10.993	3.855			
2120 Poor		1.099			183,203.13	1.099	0.000			
2130 Bridge		4.125			687,636.84	4.365	-0.240			
2140 Weed		1.733			288,890.82	1.833	-0.100			
2160 Fair		1.368			228,045.38	2.493	-1.125			
2180 District Court		0.000			-	0.000	0.000			
2190 Comp Insurance		2.737			456,257.46	1.737	1.000			
2210 Park		1.394			232,379.58	1.394	0.000			
2220 Library		5.756			959,524.28	5.565	0.191			
2280 Area on Aging		0.940			156,697.85	0.940	0.000			
2290 4H/Extension		0.360			60,011.94	0.510	-0.150			
2370 Retirement		11.026			1,838,032.45	11.026	0.000			
2380 Group Insurance		7.146			1,191,237.06	7.146	0.000			
7951 Entitlement Clearing		10.0500			1,675,333.40	10.384	-0.334			
2396 Juvenile Detention		2.906			484,429.74	3.364	-0.458			
					-					
					\$					
Total County-wide	66.870	65.488	1.382	Mill value = \$166,699.841	10,916,839.19	62.849	2.639	65.450	1.420	2.17%
				Mill not used	\$ 230,379.18					growth in mill levy
Add Exempt/Voted Levies:										
2990Transportation (Eagle Transit)		1.000		Voted 1 mill 6/04	166,699.84	0.644	0.356			

WEDNESDAY, SEPTEMBER 14, 2005 (Continued)										
2273 Special EMS Program	1.881		Voted 2 mills 6/04	313,562.40		1.374	0.507	166,699.84	Mill value	
2272 EMS Program (voted)	0.883		Max 1 mill per election	147,195.96		0.936	-0.053	157165.218	prior year	
2300 Sheriff (voted)	29.618		Max 30 Mills per 1994 elect	4,937,315.89		29.170	0.448	9,534.62	6.07%	
2372Permissive Med Levy (Exempt)	3.620			603,453.42		2.711	0.909			
2382 Search and Rescue(voted)	0.838		Max 1 mill per election 1990	139,694.47		0.838	0.000			
Total County-wide	103.328					98.522	4.806			
Add Special Districts:										
7853 Airport Authority	2.000			333,399.68		2.000	0.000			
7855 Port Authority	2.000			333,399.68		2.000	0.000			
Grand Total County-wide	107.328			\$ 17,891,560.53		102.522	4.806			
Outside Cities:			Mill value = \$118,167.984							
2110 Road	18.640	18.640	0.000	- 2,202,651.22		18.130	0.510	18.130	0.510	
2251 Planning	1.580	1.303	0.277	32,732.53 153,972.88		1.303	0.000	1.530	0.050	
Total Outside Cities	20.220	19.943	0.277			19.433	0.510	19.660	0.560	2.85%
Add Exempt/Voted:										growth in mill levy
2260 Emergency and Disaster(exe)				-		1.425	-1.425	118,167.98		
								111,982.02		
Grand Total Outside Cities	19.943			2,356,624.10		20.858	-0.915	6,185.96	5.52%	
Outside Kalispell:			Co. Mill Value = \$134,987.528							
2270 Health	5.300	5.300	0.000	Kalispell Mill Value =		5.000	0.300	5.180	0.120	2.32%

[illegible]

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

		Appropriation	Cash Reserves	Total Required	Resources Available	Non-Tax Revenues	Total Non-Tax Resources	Property Tax Revenues	Total Resources	Mill Levy	difference
2211	Parks/Cash in Lieu	300,000.00	46,826.22	346,826.22	196,826.22	150,000.00	346,826.22	-	346,826.22	-	-
2281	Medicaid Waiver	10,000.00	-	10,000.00	-	10,000.00	10,000.00	-	10,000.00	-	-
2340	School Co-op Revolving	56,069.00	18,765.24	74,834.24	24,334.24	50,500.00	74,834.24	-	74,834.24	-	-
2350	Big Mtn. Comm. Site	6,900.00	469.72	7,369.72	469.72	6,900.00	7,369.72	-	7,369.72	-	-
2374	Home Health	961,575.00	307,979.24	1,269,554.24	307,979.24	961,575.00	1,269,554.24	-	1,269,554.24	-	-
2391	FC Fire Service Area	80,000.00	15,631.26	95,631.26	25,631.26	70,000.00	95,631.26	-	95,631.26	-	-
2393	Halo Project	18,437.00	0.29	18,437.29	16,437.29	2,000.00	18,437.29	-	18,437.29	-	-
2394	DUI Reinstatement	40,000.00	27,023.65	67,023.65	50,473.65	16,550.00	67,023.65	-	67,023.65	-	-
2395	Records Preservation	156,051.00	113,477.35	269,528.35	119,528.35	150,000.00	269,528.35	-	269,528.35	-	-
2398	HazMat Containment	6,000.00	3,188.59	9,188.59	3,188.59	6,000.00	9,188.59	-	9,188.59	-	-
2820	Gas Tax	633,000.00	430,878.76	1,063,878.76	605,402.76	458,476.00	1,063,878.76	-	1,063,878.76	-	-
2830	Junk Vehicle	122,203.00	16,112.78	138,315.78	16,292.78	122,023.00	138,315.78	-	138,315.78	-	-
2840	Weed Truck Grant	6,200.00	-	6,200.00	-	6,200.00	6,200.00	-	6,200.00	-	-
2846	Tally Lk Tansy Ragwort	4,486.00	-	4,486.00	-	4,486.00	4,486.00	-	4,486.00	-	-
2850	911 Emergency	375,543.00	69,640.20	445,183.20	127,183.20	318,000.00	445,183.20	-	445,183.20	-	-
2888	I & R/Comm Service	132,077.00	29,740.68	161,817.68	24,555.68	137,262.00	161,817.68	-	161,817.68	-	-
2901	PILT	1,655,699.00	578,819.80	2,234,518.80	881,703.80	1,352,815.00	2,234,518.80	-	2,234,518.80	-	-
2902	Forest Reserve Title III	67,000.00	158,098.72	225,098.72	225,098.72	-	225,098.72	-	225,098.72	-	-
2904	After 2001 Fire Grant	-	211.84	211.84	211.84	-	211.84	-	211.84	-	-
2912	Account. Enforcement	41,243.00	(7,400.10)	33,842.90	(7,400.10)	41,243.00	33,842.90	-	33,842.90	-	-
2913	Youth Service Network	119,432.00	(9,550.30)	109,881.70	(9,550.30)	119,432.00	109,881.70	-	109,881.70	-	-
2916	BCC/Drug Investigation	465,296.00	-	465,296.00	-	465,296.00	465,296.00	-	465,296.00	-	-
2922	High Intensity Drug Traf	236,300.00	12.42	236,312.42	12.42	236,300.00	236,312.42	-	236,312.42	-	-

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

2926	Homeland Security	-	(2,032.89)	(2,032.89)	(2,032.89)	-	(2,032.89)	-	(2,032.89)	-	-
2927	War Supp. Grant	-	(14,268.37)	(14,268.37)	(14,268.37)	-	(14,268.37)	-	(14,268.37)	-	-
2929	In Car Radios, Radar	6,200.00	-	6,200.00	-	6,200.00	6,200.00		6,200.00		-
2930	Bullet Proof Vest Grant	5,196.00		5,196.00	-	5,196.00	5,196.00		5,196.00		-
2931	Homeland Security	484,166.00	-	484,166.00	-	484,166.00	484,166.00		484,166.00		-
2932	Alcohol Enforcement	52,559.00		52,559.00	-	52,559.00	52,559.00		52,559.00		-
2933	STEP DUI/Seatbelt	8,250.00	-	8,250.00	-	8,250.00	8,250.00	-	8,250.00	-	-
2934	JAG Civil Grant	27,536.00	-	27,536.00	-	27,536.00	27,536.00		27,536.00		-
2951	WMD Equip Grant	-	358.28	358.28	358.28	-	358.28		358.28		-
2953	VFA Program	22,000.00	(5,119.60)	16,880.40	(5,119.60)	22,000.00	16,880.40	-	16,880.40	-	-
2954	US DOT Grant (LEPC)	-	1,644.05	1,644.05	1,644.05	-	1,644.05		1,644.05		-
2955	CTEP- Lakeside/Somers	235,539.00	-	235,539.00	898.10	234,640.90	235,539.00	-	235,539.00	-	-
2962	CTEP-Gt Northern	322,326.00	(3,424.58)	318,901.42	(3,424.58)	322,326.00	318,901.42	-	318,901.42	-	-
2966	Radon Program	2,000.00	-	2,000.00	-	2,000.00	2,000.00	-	2,000.00	-	-
2967	Cancer Program	93,596.00	135,491.39	229,087.39	142,237.39	86,850.00	229,087.39	-	229,087.39	-	-
2968	Tobacco Prevention	80,000.00	24,122.89	104,122.89	24,122.89	80,000.00	104,122.89	-	104,122.89	-	-
2970	AIDS Grant Cons II	15,000.00	1,238.25	16,238.25	1,238.25	15,000.00	16,238.25	-	16,238.25	-	-
2971	WIC	264,835.00	13,335.33	278,170.33	13,335.33	264,835.00	278,170.33	-	278,170.33	-	-
2972	Family Planning	547,084.00	164,375.83	711,459.83	241,427.83	470,032.00	711,459.83	-	711,459.83	-	-
2973	MCH/MIAMI	168,374.00	48,995.45	217,369.45	50,097.45	167,272.00	217,369.45	-	217,369.45	-	-
2974	AIDS Grant Cons III	7,910.00	532.05	8,442.05	532.05	7,910.00	8,442.05	-	8,442.05	-	-
2975	AIDS Grant	58,299.00	55,804.15	114,103.15	55,804.15	58,299.00	114,103.15	-	114,103.15		-
2976	Immunization	25,540.00	300.00	25,840.00	300.00	25,540.00	25,840.00	-	25,840.00	-	-
2977	Bioterrorism	117,900.00	125,702.30	243,602.30	125,702.30	117,900.00	243,602.30	-	243,602.30	-	-
2978	TB Grant	8,000.00	666.44	8,666.44	666.44	8,000.00	8,666.44	-	8,666.44	-	-
2979	Air Quality							-		-	-

[illegible]

		50,000.00	24,649.12	74,649.12	24,649.12	50,000.00	74,649.12		74,649.12		
4014	Planning Car/Copier CIP	10,000.00	30,000.00	40,000.00	25,000.00	15,000.00	40,000.00		40,000.00	-	-
4017	MicroComputer Rpl CIP	87,000.00	3,610.64	90,610.64	41,810.64	48,800.00	90,610.64		90,610.64	-	-
4018	FC Fire Service Area	-	43,350.00	43,350.00	38,350.00	5,000.00	43,350.00		43,350.00		-
4020	Library Deprec. CIP	36,000.00	191,664.06	227,664.06	211,564.06	16,100.00	227,664.06		227,664.06	-	-
4026	911 Emergency System	100,000.00	494,890.24	594,890.24	537,890.24	57,000.00	594,890.24		594,890.24	-	-
4238	Big Mtn RSID 138 Const	311,502.00	-	311,502.00	311,502.00	-	311,502.00		311,502.00		-
5410	Solid Waste	7,716,531.00	1,820,533.30	9,537,064.30	2,103,723.30	7,433,341.00	9,537,064.30	-	9,537,064.30	-	-
5420	Refuse/closure	-	3,581,717.17	3,581,717.17	3,051,717.17	530,000.00	3,581,717.17	-	3,581,717.17	-	-
5430	Lined cell trust	2,400,000.00	1,529,098.42	3,929,098.42	3,369,098.42	560,000.00	3,929,098.42	-	3,929,098.42	-	-
7015	Animal Control Trust	2,500.00	594.08	3,094.08	1,594.08	1,500.00	3,094.08	-	3,094.08	-	-
7040	Evergreen Median Trust	7,500.00	45,430.98	52,930.98	51,430.98	1,500.00	52,930.98	-	52,930.98	-	-
7054	Animal Trust Expendable	40,000.00	2,006.36	42,006.36	41,506.36	500.00	42,006.36	-	42,006.36	-	-
7055	Library Gifts/Memorials	41,018.00	38,140.36	79,158.36	38,140.36	41,018.00	79,158.36	-	79,158.36	-	-
7057	Sheriff,s Drug Trust	84,000.00	39,980.74	123,980.74	73,980.74	50,000.00	123,980.74	-	123,980.74	-	-
7058	COA/Advisory Council	-	8,329.12	8,329.12	8,179.12	150.00	8,329.12	-	8,329.12	-	-
7059	Somers Endowment	1,000.00	36.30	1,036.30	1,016.30	20.00	1,036.30	-	1,036.30	-	-
7062	Drug Forfeiture/fed sh.	-	4,040.90	4,040.90	3,940.90	100.00	4,040.90	-	4,040.90	-	-
8050	Group Insurance trust	2,849,208.00	1,163,831.67	4,013,039.67	632,432.67	3,380,607.00	4,013,039.67	-	4,013,039.67	-	
	Total Non-levied	25,185,858.00	13,991,325.60	39,177,183.60	17,532,804.70	21,644,378.90	39,177,183.60	-	39,177,183.60	-	
	Levied Funds	35,430,124.76	6,552,996.42	41,983,121.18	8,998,604.42	12,020,900.00	21,019,504.42	20,963,616.76	41,983,121.18	132.571	-
	Grand Total - County	60,615,982.76	20,544,322.02	81,160,304.78	26,531,409.12	33,665,278.90	60,196,688.02	20,963,616.76	81,160,304.78	132.571	
	Less: special districts	(2,342,132.76)		(2,342,132.76)				(2,342,132.76)	(2,342,132.76)	14.050	
	County Total	58,273,850.00	20,544,322.02	78,818,172.02	26,531,409.12	33,665,278.90	60,196,688.02	18,621,484.00	78,818,172.02	118.521	
	Last Year	55,345,286.00	12,543,292.00	67,888,578.00	19,207,433.00	31,841,942.00	51,049,375.00	16,839,203.00	67,888,578.00	113.996	

		Cash at 6/30th per 9/11 Trial Balance	Receivables	Payables	Reserve	Other	Cash reappr. to fund budget in FY 2006	Cash avail to FY 2006	Cash avail to FY 2005	Change in resources
1000	General	1,735,682.85	8,679.75	(259,164.47)	(835,695.13)		649,503.00	1,485,198.13	2,374,606	(889,408)
2120	Poor	44,073.25		(12,848.85)	(16,431.40)		14,793.00	31,224.40	50,820	(19,596)
2110	Road	1,866,691.05		(329,446.57)	(1,014,915.48)		522,329.00	1,537,244.48	1,410,727	126,517
2130	Bridge	430,153.35		(65,846.76)	(278,675.59)		85,631.00	364,306.59	229,298	135,009
2140	Weed	174,981.61	56,211.32	(26,277.80)	(145,928.13)		58,987.00	204,915.13	123,290	81,625
2160	Fair	449,966.62		(41,160.38)	(217,699.24)		191,107.00	408,806.24	218,578	190,228
2180	District Court	522,319.12	35,266.24	(15,725.02)	(244,696.34)		297,164.00	541,860.34	780,166	(238,306)
2190	Comp Insurance	196,655.34	2,817.48	(13,473.55)	(110,113.27)		75,886.00	185,999.27	373,514	(187,515)
2210	Park	126,640.46	4,205.00	(23,613.37)	(100,939.09)		6,293.00	107,232.09	60,985	46,247
2220	Library	367,680.88		(27,395.97)	(334,534.91)		5,750.00	340,284.91	341,441	(1,156)
2251	Planning	239,857.43		(28,248.56)	(171,669.87)		39,939.00	211,608.87	191,327	20,282
2260	Emergency/Disaster	237,268.42			(2,039.42)		235,229.00	237,268.42	64,572	172,696
2270	Health	654,230.98		(93,485.27)	(437,839.71)		122,906.00	560,745.71	565,385	(4,639)
2272	EMS Program	65,628.37		(16,610.25)	(48,913.12)		105.00	49,018.12	30,284	18,734
2280	Area on Aging	45,569.68	4,654.00	(3,785.68)	(51,665.00)		(5,227.00)	46,438.00	49,094	(2,656)
2290	Extension	28,544.06		(1,056.20)	(19,522.86)		7,965.00	27,487.86	26,688	800
2300	Sheriff	1,052,518.79	34,009.69	(123,867.22)	(1,015,217.26)		(52,556.00)	962,661.26	581,210	381,451
2370	Retirement	738,535.54		(123,852.95)	(484,597.59)		130,085.00	614,682.59	538,260	76,423
2380	Group Insurance	780,702.79		(104,399.04)	(618,622.75)		57,681.00	676,303.75	623,747	52,557
2382	Search & Rescue	79,963.23		(23,353.87)	(44,558.36)		12,051.00	56,609.36	54,070	2,539
2273	EMS Special Prog	109,115.85		(23,349.06)	(85,698.79)		68.00	85,766.79	-	85,767
2396	Juvenile Detention	153,584.70	11,440.00	(12,738.09)	(180,209.61)		(27,923.00)	152,286.61	-	152,287
2990	Transportation	74,295.37	50,338.91	(13,978.78)	(92,813.50)		17,842.00	110,655.50	107,087	3,569
TOTAL		10,174,659.74	207,622.39	(1,383,677.71)	(6,552,996.42)	-	2,445,608.00	8,998,604.42	8,795,149	203,456

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

Last Year		8,891,157.35	947,855.01	(1,150,951.64)	(4,900,477.07)			3,787,583.65		2.26%
		Appropriation	Cash Reserves	Total Required	Resources Available	Non-Tax Revenues	Total Non-Tax Resources	Property Tax Revenues	Total Resources	Mill Levy
1000	General	6,721,712.00	835,695.13	7,557,407.13	1,485,198.13	3,597,050.00	5,082,248.13	2,475,159.00	7,557,407.13	14.848
2120	Poor	200,000.00	16,431.40	216,431.40	31,224.40	2,004.00	33,228.40	183,203.00	216,431.40	1.099
2110	Road	5,333,382.00	1,014,915.48	6,348,297.48	1,537,244.48	2,608,402.00	4,145,646.48	2,202,651.00	6,348,297.48	18.640
2130	Bridge	895,509.00	278,675.59	1,174,184.59	364,306.59	122,241.00	486,547.59	687,637.00	1,174,184.59	4.125
2140	Weed	519,817.00	145,928.13	665,745.13	204,915.13	171,939.00	376,854.13	288,891.00	665,745.13	1.733
2160	Fair	1,105,188.00	217,699.24	1,322,887.24	408,806.24	686,036.00	1,094,842.24	228,045.00	1,322,887.24	1.368
2180	District Court	618,832.00	244,696.34	863,528.34	541,860.34	321,668.00	863,528.34	-	863,528.34	0.000
2190	Comp Insurance	565,610.00	110,113.27	675,723.27	185,999.27	33,467.00	219,466.27	456,257.00	675,723.27	2.737
2210	Park	463,019.00	100,939.09	563,958.09	107,232.09	224,346.00	331,578.09	232,380.00	563,958.09	1.394
2220	Library	1,204,859.00	334,534.91	1,539,393.91	340,284.91	239,585.00	579,869.91	959,524.00	1,539,393.91	5.756
2251	Planning	692,509.00	171,669.87	864,178.87	211,608.87	498,597.00	710,205.87	153,973.00	864,178.87	1.303
2260	Emergency/Disaster	236,336.00	2,039.42	238,375.42	237,268.42	1,107.00	238,375.42	-	238,375.42	0.000
2270	Health	1,855,061.00	437,839.71	2,292,900.71	560,745.71	1,016,721.00	1,577,466.71	715,434.00	2,292,900.71	5.300
2272	EMS Program	148,615.00	48,913.12	197,528.12	49,018.12	1,314.00	50,332.12	147,196.00	197,528.12	0.883
2280	Area on Aging	192,185.00	51,665.00	243,850.00	46,438.00	40,714.00	87,152.00	156,698.00	243,850.00	0.940
2290	Extension	82,273.00	19,522.86	101,795.86	27,487.86	14,296.00	41,783.86	60,012.00	101,795.86	0.360
2300	Sheriff	5,898,749.00	1,015,217.26	6,913,966.26	962,661.26	1,013,989.00	1,976,650.26	4,937,316.00	6,913,966.26	29.618
2370	Retirement	2,199,073.00	484,597.59	2,683,670.59	614,682.59	230,956.00	845,638.59	1,838,032.00	2,683,670.59	11.026
2380	Group Insurance	2,013,475.00	618,622.75	2,632,097.75	676,303.75	764,557.00	1,440,860.75	1,191,237.00	2,632,097.75	7.146
2382	Search & Rescue	162,401.00	44,558.36	206,959.36	56,609.36	10,656.00	67,265.36	139,694.00	206,959.36	0.838
2372	Perm. Med Levy	604,058.00	-	604,058.00	-	605.00	605.00	603,453.00	604,058.00	3.620
2990	Transportation	513,092.00	92,813.50	605,905.50	110,655.50	328,550.00	439,205.50	166,700.00	605,905.50	1.000

WEDNESDAY, SEPTEMBER 14, 2005 (Continued)										
2273	Special EMS	314,330.00	85,698.79	400,028.79	85,766.79	700.00	86,466.79	313,562.00	400,028.79	1.881
2396	Juv. Detention	547,907.00	180,209.61	728,116.61	152,286.61	91,400.00	243,686.61	484,430.00	728,116.61	2.906
TOTAL		33,087,992.00	6,552,996.42	39,640,988.42	8,998,604.42	12,020,900.00	21,019,504.42	18,621,484.00	39,640,988.42	118.521
ADD:	Special Districts									
7833	Airport Authority	333,399.68	-	333,399.68	-	-	-	333,399.68	333,399.68	2.000
7855	Port Authority	333,399.68	-	333,399.68	-	-	-	333,399.68	333,399.68	2.000
7951	Entitlement Clearing	1,675,333.40	-	1,675,333.40	-	-	-	1,675,333.40	1,675,333.40	10.050
TOTAL COUNTY-WIDE		35,430,124.76	6,552,996.42	41,983,121.18	8,998,604.42	12,020,900.00	21,019,504.42	20,963,616.76	41,983,121.18	132.571
Last Year		34,271,754.07	5,140,451.49	39,412,205.56	8,795,168.01	11,517,269.52	20,312,437.53	19,099,768.03	39,412,205.56	128.380
		3.38%	27.48%	6.52%	2.31%	4.37%	3.48%	9.76%	6.52%	3.26%

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

CONSIDERATION OF ADOPTION OF RESOLUTION: CREATING ROADLESS / FOREST SERVICE PLANNING TASK FORCE

[10:01:52 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Roger Sherman

Commissioner Watne made a **motion** to adopt Resolution 1886. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

RESOLUTION NO. 1886

ESTABLISHMENT OF TASK FORCE
FLATHEAD COUNTY ROADLESS RULE COLLABORATION PROCESS
FLATHEAD COUNTY COMMENT ON U.S. FOREST SERVICE PLAN REVISION

WHEREAS, the U.S. Department of Agriculture has issued 36 CFR 294 –Special Areas 0.1 Subpart B – State Petitions for Inventoried Roadless Area Management, permitting the Governor to petition the Secretary of Agriculture to promulgate regulations establishing management requirements for all or any portion of National Forest System inventoried roadless areas within the State, by November 13, 2006 and Montana Governor Brian Schweitzer has expressed a desire to consult with county commissioners of counties affected by or containing inventoried roadless areas and the Board of Commissioners of Flathead County has determined that any recommendations it might make to the Governor should be formulated after conducting a broad based, public, community collaborative process;

WHEREAS, the Board of Commissioners adopted Resolution No. 1879 on August 30, 2005, to establish the collaborative process and invite all elected County and Legislative officials from Flathead County to join in the collaborative process and assist the Board of Commissioners in developing recommendations for consideration by Governor Schweitzer involving Roadless Areas in Flathead County and wishes to replace that Resolution; and

WHEREAS, the United States Forest Service is currently in the process of revising the Forest Plan for the Flathead National Forest and Flathead County wishes to participate in that process by offering its comments on the Forest Plan during the revision process.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Flathead County that it hereby establishes a Roadless/Forest Planning Task Force to participate in both the collaborative process designed to promulgate recommendations for consideration by Governor Schweitzer involving Roadless Areas in Flathead County and a collaborative process designed to promulgate comments to be made by the Board of Commissioners of Flathead County concerning the ongoing revision by the U.S. Forest Service of the Forest Plan for the Flathead National Forest.

BE IT FURTHER RESOLVED that Roadless/Forest Planning Task Force shall be composed of persons selected by the Board of Commissioners who are elected County and Legislative officials from Flathead County or are persons from a diverse and broad range of community and stakeholder groups who agree to serve at the request of the Board of Commissioners or who transmit letters to the Board of Commissioners by October 14, 2005, expressing an interest in serving on the Roadless/Forest Planning Task Force.

BE IT FURTHER RESOLVED that Resolution No. 1879 is of no further force or effect.

Dated this 14th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By /s/Gary D. Hall
Gary D. Hall, Chairman

By /s/Robert W. Watne
Robert W. Watne, Member

By /s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

CONSIDERATION OF PRINTING BIDS: PLANNING & ZONING OFFICE

[10:03:07 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the bid submitted by Insty Print in the amount of \$49.90 for business cards. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: WHITEFISH HILLS ZONE CHANGE / BLANCHARD LAKE ZONING DISTRICT

[10:04:29 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Mulcahy, Jeff Harris

Commissioner Brenneman made a **motion** to adopt Resolution 966M. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

RESOLUTION NO. 966 M

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 1st day of August, 2005, concerning a proposal to change the zoning designation in a portion of the Blanchard Lake Area Zoning District from AG-40 (Agricultural) to AG-20 (Agricultural);

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;
and

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Blanchard Lake Area Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 966L) on August 1, 2005, to change the zoning designation in a portion of the Blanchard Lake Area Zoning District from AG-40 (Agricultural) to AG-20 (Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on August 4 and August 11, 2005, and the Board of Commissioners did not receive written protests from forty percent (40%) of the freeholders within the Blanchard Lake Area Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(4), M.C.A., hereby amends the Blanchard Lake Area Zoning District to change the zoning designation for the area described on Exhibit A attached hereto, from AG-40 (Agricultural) to AG-20 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 14th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By /s/Gary D. Hall
Gary D. Hall, Chairman

By /s/Robert W. Watne
Robert W. Watne, Member

By /s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy Clerk

WHITEFISH HILLS, LLC.
REQUEST FOR ZONE CHANGE FROM AG-40 TO AG-20
STAFF REPORT #FZC-05-11

Location and Legal Description of Property:

The property proposed for rezoning is located on the west side of Highway 93 North, southwest of the city of Whitefish and consists of 600 acres. The site can be described as Lots 1, 2, 3, 7 and S of Whitefish Hills, Phase 1 in Sections 3, 10, and 11 and Assessor's Tract 5 in Section 10, all in Township 30 North, Range 22 West P.M., Flathead County, Montana.

WEDNESDAY, SEPTEMBER 14, 2005
(Continued)

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: CHVILICEK ZONE CHANGE / LOWER SIDE ZONING DISTRICT

[10:05:27 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Mulcahy, Jeff Harris

Commissioner Watne made a **motion** to adopt Resolution 957AY. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

RESOLUTION NO. 957 AY

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after publication of legal notice, on the 1st day of August, 2005, to consider a request to change the zoning designation in a portion of the Lower Side Zoning District from AG-40 (Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendations of the Flathead County Planning Board regarding the proposed change in the Lower Side Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 957 AW, dated August 1, 2005) to change the zoning designation in a portion of the Lower Side Zoning District from AG-40 (Agricultural) to SAG-5 (Suburban Agricultural) and;

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on August 4 and August 11, 2005, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Lower Side Zoning District to change the zoning designation for the area described on Exhibit "A" hereto, from AG-40 to SAG-5, as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 14th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Gary D. Hall
Gary D. Hall, Chairman

By/s/Robert W. Watne
Robert W. Watne, Member

By/s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser

Deputy

JOHN CHVILICEK
ZONE CHANGE FROM AG-40 TO SAG-S
STAFF REPORT #FZC-05-10

Location and Legal Description of Property:

The property proposed for the map amendment is located east of Smith Lake Road and west of the Foy's Lake area and contains approximately 429.8 acres.

The property's legal description is Tracts 4, 8, 1, 7, 6, and 9 of Section 22, Township 28 North, Range 22 West, P.M.M.

WEDNESDAY, SEPTEMBER 14, 2005

(Continued)

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #06-07-5-31-021-0

[10:06:52 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to DPHHS Contract and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE : SECTION 5311 CONTRACT / AOA

[10:07:32 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the AOA Section 5311 Contract and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE : AIMS MOU / AOA

[10:08:16 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the AIMS MOU for AOA and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

MONTHLY MEETING W/ RAEANN CAMPBELL / HRO

[10:09:35 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Robin Boon, David Prunty, Kim Thomas

Discussion was held relative to the commissioners making a decision on what they are going to do with workers comp. The commissioners agreed that they need to meet with the current carrier before they decide.

MEETING W/ BIGFORK STEERING COMMITTEE RE: COMMUNITY SURVEY ANALYSIS

[10:18:52 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jeff Harris, Gilbert Coutts, Denise Lang, Janet Loranger, Don Loranger, Eric Mulcahy, Julie Cassetta, Joe Cassetta, Doug Averill, Jim Frizzell, Gina Klempel, Kathy Robertson, Carol Meyer, Shelley Gonzales, Buz Meyer, Clairce Ryan

Discussion was held relative to a Bigfork Community Survey Analysis. The wish by the committee to create a land use plan for Bigfork that can be incorporated into the Growth Policy. Don Loranger presented the commissioners with some of the data received through the Bigfork Survey with graphs and charts. He also gave an outline of what they need to do and what they have already finished to incorporate the Bigfork Land Use Plan. Jeff Harris stated that they have started working with the committee and would like to continue.

11:00 A.M. County Attorney meeting at the County Attorney's Office.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 15, 2005.

THURSDAY, SEPTEMBER 15, 2005

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Hall, Commissioners Watne and Brenneman, and Clerk Robinson were present.

11:00 a.m. Long Range Planning Task Force Education & Outreach Committee at the Earl Bennett Building

12:00 p.m. Commissioner Hall to attend Job Now Retreat at Mountain Lake Lodge (till 5)

2:00 p.m. Commissioner Watne to attend the Health Boar meeting at the Earl Bennett Building

4:00 p.m. Commissioner Hall to attend the Transportation Committee meeting at the Kalispell Chamber of Commerce

4:15 p.m. Commissioners Watne and Brenneman to attend the Great Northern Historical Trial Ribbon Butting at the Smith Valley Grange

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 16th, 2005.

FRIDAY, SEPTEMBER 16, 2005

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Hall, Commissioners Watne and Brenneman, and Clerk Robinson were present.

10:00 a.m. Commissioner Brenneman to attend the Mental Health Council & CDC meetings in Superior

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 19th, 2005.